United Nations A/C.3/62/SR.1

General Assembly
Sixty-second session
Official Records

Distr.: General
30 October 2007
English
Original: French

Third Committee

Summary record of the 1st meeting
Held at Headquarters, New York, on Monday, 8 October 2007, at 10 a.m.

Chairman: Mr. Wolfe ..... (Jamaica)

Contents

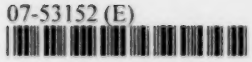
Statement by the Chairman

Organization of work

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

07-53152 (E)



The meeting was called to order at 10.30 a.m.

Statement by the Chairman

1. **The Chairman**, stressing the importance of the Committee's work, said that he would lead with impartiality. He urged members to be punctual and cooperative, bearing in mind that the Committee had a heavy agenda.

Organization of work (A/62/250; A/C.3/62/1; A/C.3/62/L.1, A/C.3/62/L.1/Add.1 and Add.2)

2. **The Chairman** said that the list of agenda items allocated to the Third Committee was contained in document A/C.3/62/1. He drew attention to section II of the report of the General Committee (A/62/250), which recommended certain guidelines with regard to the conduct of meetings. He wished to highlight three guidelines relating to: (a) the number of resolutions adopted by the General Assembly; (b) the length of resolutions; and (c) the need to allow sufficient time for the preparation of estimates of expenditures by the Secretariat and for their consideration by the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee.

3. **Mr. Khane** (Secretary of the Committee) drew attention to document A/C.3/62/1, which showed the correct numbering of the agenda items. The allocation of agenda item 65, on the report of the Human Rights Council, was still under discussion. An addendum had been issued to the report of the Secretary-General on the follow-up to the tenth anniversary of the International Year of the Family and beyond (A/62/132), under agenda item 62 (b). The Committee should organize its work so as to conclude consideration of agenda items in a staggered manner and complete its work earlier than the date originally planned in order to allow the General Assembly to consider the relevant reports during the main part of its session. By the same token, delegations should respect the guidelines on the submission of draft proposals.

4. **The Chairman** stressed the importance of following the proposed timetable insofar as possible. In particular, it was important that draft resolutions that required lengthy negotiations should be drawn up as soon as possible, and all deadlines should be scrupulously observed. Delegations initiating proposals should inform the secretariat of the Committee or a member of the Bureau accordingly.

5. He took it that, following established practice, the Committee agreed to approve the list of special rapporteurs and independent experts that had been read out by the Secretary.

6. *It was so decided.*

7. **The Chairman** invited countries that wished to make statements about the programme of work outlined in documents A/C.3/62/L.1 and Add.1 and 2 to do so.

8. **Mr. Babadoudou** (Benin), speaking on behalf of the Group of African States, said that by taking the initiative to submit reports on the human rights situation in Nepal and in northern Uganda, the Secretary-General had encroached on the powers of the Human Rights Council, even if he was exercising his prerogative under the Charter and the rules of procedure. Moreover, General Assembly resolution 48/141 did not give the High Commissioner for Human Rights an explicit mandate to submit such reports. The submission of that type of report could have a negative effect on the ongoing peace process in those countries, especially Uganda. He therefore requested that the two reports should be deleted from the list of documents to be considered by the Committee.

9. **Mr. Amorós Núñez** (Cuba), after emphasizing that all delegations should have time to express their views on all the matters raised, said it was not clear that the Committee needed to take a position on the two reports in question.

10. **Mr. Butagira** (Uganda), expressing support for the statement made by the representative of Benin on behalf of the Group of African States, requested that the reports of the High Commissioner for Human Rights on the situation of human rights in Nepal and in Uganda should be deleted from the list of documents submitted to the Committee for its consideration. The submission of those reports had not been mandated by either the General Assembly or the Human Rights Council, and neither General Assembly resolution 48/141 nor resolution 60/251 authorized the High Commissioner to submit such reports. The High Commissioner should report to the Human Rights Council or, if she wished to address the General Assembly, she should do so through the Economic and Social Council. It was regrettable that the States concerned had not been informed in advance and he feared that the submission of the report on Uganda might undermine the peace talks currently under way,

as well as the goodwill demonstrated by the parties. His delegation therefore requested that the report on Uganda should be removed from the list of documents submitted to the Committee for its consideration.

11. **Ms. Martins** (Portugal), responding, on behalf of the European Union, to the request made by the representative of Benin and supported by the representative of Uganda, recalled that the Committee had already examined similar reports. She would appreciate it if the Secretary would explain whether the High Commissioner was authorized to submit the two reports in question.

12. **Mr. Hayee** (Pakistan) pointed out that the mandate of the High Commissioner for Human Rights was to assist Member States and the General Assembly in matters pertaining to the promotion and protection of human rights in the world. The High Commissioner was not authorized to submit documents or reports other than those requested by either the General Assembly or the Human Rights Council. It was not up to the High Commissioner to decide which matters should be considered by the General Assembly. His delegation therefore supported the request made by the representatives of Uganda and Benin to have the two reports removed from the list of documents to be considered.

13. **Mr. Bhattarai** (Nepal) fully supported the statement made by the representative of Benin on behalf of the Group of African States. The two reports should be considered by the Human Rights Council and not by the General Assembly.

14. **Ms. Shestack** (United States of America) said that as a universal body, the Committee should consider human rights issues and the reports of the High Commissioner for Human Rights if the High Commissioner believed that a given situation should be brought to the attention of the Committee. Her delegation was not in favour of having the two reports removed from the list of documents submitted to the Committee for consideration.

15. **Mr. Khane** (Secretary of the Committee), replying to the question raised by Portugal on behalf of the European Union, said that the Secretariat's decision to add the reports on the human rights situation in Nepal and in Uganda to the list of documents to be considered by the Committee was based on paragraph 4 (b) of General Assembly resolution 48/141, according to which the High Commissioner was authorized to submit reports even if they were not subject to a specific mandate.

16. **Mr. Butagira** (Uganda) said that he had heard the Secretariat's position on the question, but believed that the procedure adopted by the High Commissioner was not the correct one and was not supported by the resolutions that had been mentioned. On the one hand, there was a Human Rights Council and, on the other, an Assembly, with a mandate. Claiming a universal right to submit reports undermined the very essence of the resolutions in question. Those resolutions had not been interpreted correctly. Uganda was not shying away from discussing human rights, but the appropriate procedure must be followed. The High Commissioner had no right to bring the matter up in the way she had done. The question should be settled by a vote.

17. **Mr. Babadoudou** (Benin), speaking on behalf of the Group of African States, said that he did not understand the interpretation that had been given of General Assembly resolution 48/141 on the creation of the post of the High Commissioner for Human Rights. While he recognized that the Secretary-General had the prerogative to draw the international community's attention to issues he considered urgent, he wondered what such reports could contribute to the Committee's deliberations. Furthermore, the Human Rights Council had agreed on a number of provisions that the Committee had not yet had a chance to review. He therefore requested that those reports should not be submitted to the Committee during the sixty-second session.

18. **Mr. Amorós Núñez** (Cuba) said that he was ready to discuss reports and other documents that had been submitted to the Committee under an intergovernmental agreement. While the Committee had in fact previously decided to review a report which did not fall under such an agreement, a large number of delegations had stated that they were not prepared to review the report in question, in accordance with the established practice of the Committee. According to the Secretary of the Committee, the decision to consider such reports was based on paragraph 4 (b) of resolution 48/141, at the beginning of which it was stated that the activities of the High Commissioner for Human Rights were within the framework of the overall competence, authority and decisions of the General Assembly, the Economic and Social Council and the Commission on Human Rights. For a report to be considered, there must be prior agreement. The case

referred to by the representative of Portugal had been an exception. The consideration of such reports by the Committee would constitute a precedent. Like the representative of Uganda and that of Benin, speaking on behalf of the Group of African States, his delegation was therefore opposed to the consideration of such reports by the Committee.

19. **Mr. Saeed** (Sudan) said that he could not accept the Secretary's response, as it was not the Secretariat's responsibility to interpret resolutions adopted by delegations and to take the place of Member States. That was a very dangerous precedent. While the Office of the High Commissioner was at the service of Member States, efforts were being made to give it a role that went beyond its mandate. The Secretariat's decision to submit the reports in question for the consideration of the Committee should have been taken in concert with the Member States. The Chairman and Bureau of the Committee had to play their role; it was important to take a decision on the matter.

20. **Ms. Martins** (Portugal) proposed that the decision on the inclusion of the two reports in the documentation submitted to the Committee should be deferred in order to give the Bureau and various groups time to hold consultations.

21. **Mr. Babadoudou** (Benin) said that the Group of African States disagreed with the Portuguese representative's proposal that the decision should be deferred. He requested the simple withdrawal of the two reports from the list of documents submitted to the Committee for consideration.

22. **The Chairman** noted that the delegation of Benin, on behalf of the Group of African States, and supported by the delegations of Uganda, Cuba, Pakistan, Nepal and Sudan, had requested that the references to documents A/62/346 (Report of the High Commissioner for Human Rights on the human rights situation in Nepal) and A/62/347 (Report of the High Commissioner for Human Rights on the human rights situation in Uganda) in document A/C.3/62/L.1/Add.2 should be deleted.

23. **Ms. Shestack** (United States of America) said that she was not in favour of that deletion and supported the proposal put forth on behalf of the European Union, which would allow delegations time to receive instructions from their capitals.

24. **Ms. Blitt** (Canada), supported by **Ms. Kolshus** (Norway), endorsed the Portuguese representative's proposal that the decision on the matter should be deferred.

25. **Mr. Rogachev** (Russian Federation) proposed that the Committee should hear from the delegations directly concerned. It was essential that the Committee should take a decision on the matter if it was to finish its work by 21 November.

26. **Mr. Babadoudou** (Benin) said that, since he had not received a mandate from the Group of African States regarding a deferment of the decision, he requested that the meeting should be suspended to allow time for consultations.

27. *The meeting was suspended at 11.45 a.m. and resumed at 11.50 a.m.*

28. **Mr. Babadoudou** (Benin) said that, following consultations, the Group of African States had decided to maintain its position, namely, to request the simple withdrawal of the two reports from the list of documents submitted to the Committee during its sixty-second session.

29. **Ms. Martins** (Portugal) said that, following consultations, the States members of the European Union wished to request time in order to take a decision. The proposal in question was a new one and, in application of rule 120 of the rules of procedure, delegations had to be informed of a new proposal before it was submitted to the Committee; that had not been done.

30. **Mr. Vigny** (Switzerland) supported the proposal to defer a decision on the proposal of the representative of Benin and said that he agreed with the representative of Portugal that it would be a good idea to refer the matter to the Bureau to allow it to propose a solution before a decision was taken.

31. **Mr. Khane** (Secretary of the Committee) asked the representative of Portugal to clarify whether, by invoking rule 120 of the rules of procedure, she had intended her proposal to be a motion under that rule. If so, the Committee should take action on it immediately.

32. **Ms. Martins** (Portugal) said that her intention in invoking rule 120 had been to request the delay of 24 hours provided for in the rules of procedure for the consideration of any new proposal.

33. **Mr. Amorós Núñez** (Cuba), speaking on a point of order, said that the proposal before the Committee had been circulated on 4 October 2007 and that it had been officially registered on that date.

34. **Ms. Martins** (Portugal) said that the new proposal she was referring to was not document A/C.3/62/L.1/Add.2, but rather the proposal made by the representative of Benin, on behalf of the Group of African States, that the two reports of the High Commissioner should be withdrawn from the list of documents to be submitted to the Committee.

35. **The Chairman**, noting that there was no agreement on the proposal made by the representative of Portugal, again asked whether the Committee wished to delete references to documents A/62/346 and A/62/347 from document A/C.3/62/L.1/Add.2.

36. **Ms. Martins** (Portugal), supported by **Mr. Vigny** (Switzerland), again invoked rule 120 of the rules of procedure and repeated that the European Union was not prepared to take a position on the request by the representative of Benin, on behalf of the Group of African States, or to put the question to a vote. She reiterated her request for a delay of 24 hours. It would be very useful to hear the views of the High Commissioner for Human Rights on her reasons for wishing to submit the two reports before taking a decision.

37. **Ms. Park E.** (Republic of Korea) said that her delegation could not take a position on the matter without consulting its capital.

38. **Mr. Ashiki** (Japan) said that his delegation would like more time to decide on the issue and to consult its capital. He would also like the Office of the High Commissioner for Human Rights to explain the reasons for the submission of the reports.

39. **Mr. Butagira** (Uganda) said that he was disappointed that the representative of Portugal had omitted the second half of rule 120 of the rules of procedure. He suggested that she should submit a motion and said that he did not wish to defer the debate.

40. **Mr. Ritter** (Liechtenstein) said he felt as though he had been ambushed, since the proposal submitted by the representative of Benin would fundamentally modify the rules adopted by the Committee the previous year, when it had taken a decision on the report of the High Commissioner for Human Rights on the situation of human rights in Nepal. The Committee had in fact taken note of the report without any objections having been heard. Since a decision to change a precedent required mature reflection, his delegation was not in a position to take an immediate decision. Given the importance of the issue, it suggested that the Bureau should determine why the previous year's solution no longer seemed appropriate.

41. **Ms. Feller** (Mexico) said that she was not in a position to take a decision on such a delicate issue and that, like the representative of Portugal, she would like to receive additional information from the Office of the High Commissioner for Human Rights in order to understand why the two reports were being submitted to the General Assembly for its consideration, and why the report on the situation of human rights in Nepal had been submitted to the General Assembly the previous year.

42. **Ms. Molaroni** (San Marino) supported the proposals made by the representative of Portugal on behalf of the European Union, as well as those made by the representatives of Switzerland and Liechtenstein.

43. **Ms. Pi** (Uruguay), speaking on behalf of the Common Market of the South (MERCOSUR), requested more time to decide on the issue.

44. **Ms. Shestack** (United States of America) joined other delegations in requesting time to take a decision on the proposal submitted by the representative of Benin. Clearly, the Committee had not arrived at a consensus on the withdrawal of the two reports on the list.

45. **The Chairman** said that while there was no consensus to withdraw the reports on the list, there was also no consensus to postpone the decision on the matter.

46. **Ms. Kolshus** (Norway) agreed with the Chairman that there was no agreement on the proposal of Portugal, but that there was also clearly none on the proposal made by the representative of Benin. She regretted that the discussion had taken so much time and said it was unfortunate to have to begin the work of the Committee by putting the issue to a vote. She asked that delegations should be given time to consult with their capitals.

47. **Ms. Blitt** (Canada) said that she would like to have additional time to examine the issue and to

consult with her Government before taking a decision on such a sensitive matter, to which no objections had been raised at the previous session. She also wished to hear the explanations of the Office of the High Commissioner for Human Rights and pointed out that the Bureau should study the issue in more depth. She therefore strongly supported the request made by the representative of Portugal that the decision should be deferred.

48. **Mr. Bhattarai** (Nepal) said that the Committee had previously considered certain reports which the Human Rights Council had not had the time to consider. It should not, however, systematically be a substitute for that body, and it was for that reason that his delegation supported Benin's proposal.

49. **Ms. Halabi** (Syrian Arab Republic) said that her delegation was also in favour of Benin's proposal. Indeed, the Syrian Arab Republic had always advocated dialogue on human rights issues and not their inclusion on the Committee's agenda. The follow-up to those reports was the responsibility of the Secretary-General or the recently created Human Rights Council, whose work she did not wish to jeopardize.

50. **Ms. Sapag** (Chile) said that that the matter must be studied in depth. To make an informed decision consistent with past practice, she wished to receive information from the Office of the High Commissioner for Human Rights, whose actions were vigorously supported by her country, and to be allowed further time for consultations.

51. **Mr. Babadoudou** (Benin), speaking on behalf of the African Group, said that the representative of Portugal had been wrong to invoke rule 120 of the rules of procedure and that the discussion could have been concluded more swiftly on its proposal, which was supported by Cuba, Nepal, Pakistan, Sudan and Uganda.

52. **Ms. Shestack** (United States of America), speaking on a point of order, requested a suspension of the meeting under rule 118 of the rules of procedure so that consultations could take place, given the delicate nature of the decision the Committee was being asked to take.

53. *A recorded vote was taken on the motion proposed by the United States of America under rule 118 of the rules of procedure.*

In favour:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Japan, Jordan, Latvia, Liechtenstein, Lithuania, Mexico, Monaco, Mozambique, Netherlands, New Zealand, Norway, Oman, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia, Singapore, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of).

Against:

Algeria, Angola, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Botswana, Brunei Darussalam, China, Colombia, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Egypt, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guinea, India, Indonesia, Iran (Islamic Republic of), Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Mauritania, Morocco, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, South Africa, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe.

Abstaining:

Antigua and Barbuda, Azerbaijan, Bahamas, Belize, Dominican Republic, Ecuador, Guyana, Haiti, Jamaica, Palau, Suriname, Tonga, Trinidad and Tobago.

54. *The motion was rejected by 71 votes to 65, with 13 abstentions.*

55. **Ms. Shestack** (United States of America) said that she was opposed to the deletion of the reference to documents A/62/346 and A/62/347 in document

A/C.3/62/L.1/Add.2 and requested a recorded vote on the proposal by Benin.

56. **Ms. Martins** (Portugal), speaking on behalf of the European Union, said she would like to have additional time to examine Benin's proposal, particularly in view of the explanations that could be provided by the Office of the High Commissioner for Human Rights. In her view, the fact that the High Commissioner had brought the situation of human rights in Nepal and Uganda to the attention of the Committee, as indicated by the Secretary, was reason enough not to delete the reference in document A/C.3/62/L.1/Add.2. Her delegation would vote against Benin's proposal.

57. **Mr. Fieschi** (France) said that his delegation aligned itself with the statement made by the representative of Portugal. While he recognized the validity of any proposal to delete a reference, the requests made by delegations for additional time should also be respected.

58. **Mr. Frick** (Germany) said that his delegation associated itself with that of Portugal. Delegations should have more time to consult with their Governments. He also regretted the fact that the Office of the High Commissioner for Human Rights had not had an opportunity to express its opinion on the subject. His delegation would vote against Benin's proposal.

59. **Mr. Amorós Núñez** (Cuba), referring to paragraph 4 of resolution 48/141, in which the General Assembly had defined the mandate of the High Commissioner for Human Rights, pointed out that members of the Committee were entitled to judge the appropriateness of the questions that were brought before it by the High Commissioner. His delegation would therefore vote in favour of Benin's proposal.

60. **Mr. Ritter** (Liechtenstein) said that his small delegation could not receive instructions from its Government as quickly as other delegations. He would therefore be forced to reject Benin's proposal.

61. **Ms. Van Beest** (Netherlands), supported by **Mr. Kingston** (New Zealand), regretted that delegations did not have the time necessary to hold consultations with each other, with their Governments and with the Office of the High Commissioner, since many countries would have preferred to take a decision following such consultations. Moreover, if consultations had been held with interested delegations, the issue might have been settled in a manner less harmful to the work of the Committee. They would vote against Benin's proposal.

62. **Ms. Park** (Republic of Korea), referring to the rules of procedure, said that delegations must be informed of proposals concerning important issues in a timely manner. She would therefore be obliged to vote against Benin's proposal.

63. **Ms. Blitt** (Canada) and **Mr. Ashiki** (Japan), also indicated that, for the same reasons, they had no other choice but to reject the proposal by Benin.

64. **Ms. Cross** (United Kingdom) joined the previous speakers in regretting the need for a vote and the lack of time given to delegations. Despite the relevance of the debate on the proposal by Benin, she would vote against it.

65. **Mr. Storaci** (Italy) said that he would like to consult his Government in order to take an informed decision on such an important issue. While he recognized the validity of Benin's proposal, he would be obliged to vote against it.

66. **Mr. Makanga** (Gabon), speaking on a point of order, suggested that the Committee should proceed to the vote requested by the United States of America, since it was perfectly clear what the different positions were and what was at stake.

67. **Mr. Csuday** (Hungary) and **Ms. Molaroni** (San Marino) underlined that delegations were not able to consult with their respective Governments and that additional time could have allowed them to reach a decision. They would vote against Benin's proposal.

68. **Ms. Feller** (Mexico) said that, while she respected the proposal submitted by the African Group, she would nevertheless adopt the same position. She regretted not having been given more time and not having been able to hear the explanations of the Office of the High Commissioner for Human Rights. She pointed out that the Office of the High Commissioner was not subject to the authority of the Human Rights Council and that it still cooperated with the Committee. Her delegation would have to vote against the proposal by Benin.

69. **Mr. Gibbons** (Ireland) added that the High Commissioner for Human Rights was authorized to submit reports to the Committee and that that had not

been a problem at the previous session. In the absence of additional time, his delegation would reject Benin's proposal.

70. **Mr. Rogachev** (Russian Federation) noted that all organs of the Secretariat must fulfil their mandates, that the report on Nepal had been adopted the previous year under different circumstances and that, while it was legitimate to wish to obtain more information, it was equally legitimate to continue the work without delay. His delegation would vote against the proposal by Benin, although it did not see the need for a vote.

71. **Ms. Malinovska** (Latvia) said that she would have liked more time and to have heard the explanations of the Office of the High Commissioner for Human Rights. Her delegation would vote against Benin's proposal.

72. **Mr. Vigny** (Switzerland), supported by **Mr. Nihon** (Belgium), said that he would have liked to see the issue referred to the Bureau so that it could find a compromise solution. The High Commissioner for Human Rights was competent to inform the General Assembly about her work. He asked that the decision on the proposal should be postponed for 24 hours. Otherwise, he would reject the proposal.

73. **Ms. Halabi** (Syrian Arabic Republic) said that her delegation was committed to implementing the provisions of paragraph 4 of resolution 48/141 and would therefore vote in favour of Benin's proposal.

74. **Mr. Frelih** (Slovenia) said that he was surprised by Benin's proposal and regretted such haste. His delegation would vote against the proposal, unless it could hold swift consultations with its Government and obtain additional information.

75. **Mr. Harmanovský** (Slovakia) said that he deeply regretted that the work of the Committee had taken such a turn. If he had been present at the time of the vote on the motion proposed by the United States of America under rule 118 of the rules of procedure, he would have voted in favour of suspending the meeting. He added that his delegation would reject Benin's proposal.

76. **Ms. Robles Cartes** (Spain) said that she would have liked to consult her Government and to hear the explanations of the Office of the High Commissioner. Her delegation would vote against Benin's proposal.

77. **Ms. Shestack** (United States of America), making a general statement, said that she bitterly regretted the working methods being employed at the current meeting. She sided with those delegations that were in favour of holding consultations and pointed out that the deletion of the reference to documents A/62/346 and A/62/347 would be contrary to the mandate of the Committee, which was entrusted with examining the situation of human rights throughout the world. Her delegation asked the Chairman not to force a vote. However, if a vote should take place, her delegation reserved the right to speak in explanation of vote before the vote and it would vote against the proposal of the Group of African States.

78. **Ms. Čolaković** (Bosnia and Herzegovina) said that her delegation associated itself with that of Liechtenstein and would vote against Benin's proposal.

79. **Ms. Paunksnienė** (Lithuania) said that she shared the concerns expressed by some delegations about the addition of new agenda items and noted that her delegation would reject Benin's proposal.

80. **Ms. Doláková** (Czech Republic) noted that the consideration of the report on Nepal the previous year had not been problematic. She referred to the cooperation which usually characterized the work of the Committee and regretted that the Bureau had not contributed more towards solving the problem. She indicated that her delegation would vote against Benin's proposal.

81. **Ms. Valtchanova** (Bulgaria) expressed disappointment at the way in which the Committee had begun its work and said that she, like the previous speaker, would have liked to consult her Government and hear the explanations of the Office of the United Nations High Commissioner for Human Rights. Bulgaria would vote against the proposal by Benin.

82. **Mr. Heissel** (Austria) said that he did not like having to take a hasty decision on a matter that had been the subject of consensus at the previous session, especially when, in the absence of explanations by the Office of the High Commissioner, he could not take an informed decision. He was therefore compelled to reject the proposal by Benin.

83. **Mr. Nikuljski** (The former Yugoslav Republic of Macedonia) said that he would vote against Benin's proposal because the needed consultations could not be held.

84. **Ms. Tolomanoska** (Sweden), taking exception to both the lack of consultation and the prolonged debate on the matter, said that she endorsed the statement made by the representative of Portugal on behalf of the European Union and that she would vote against the proposal.

85. **Mr. Ciorobea** (Romania), regretting the lengthiness of the current debate, said that he, too, would vote against the proposal because he could not consult his Government.

86. **Mr. Xhaferraj** (Albania), criticizing the lack of time and needed resources, said that his delegation would vote against Benin's proposal.

87. **Ms. Kaljuläte** (Estonia), supported by **Mr. Grunnet** (Denmark), who objected to being forced to vote, said that, without consulting her Government, she would have to reject Benin's proposal.

88. **Ms. Pi** (Uruguay) said that she was still waiting for instructions from her Government.

89. **Mr. Aksen** (Turkey), speaking on a point of order, said that the Chairman had not asked if delegations wanted to explain their vote before the vote.

90. **Mr. Hayee** (Pakistan), speaking on a point of order, said that, according to rule 128 of the rules of procedure, a delegation could not take the floor twice before a vote.

91. **Mr. Frick** (Germany), speaking on a point of order, noted that since there were no more general statements, the Committee was free to hear whatever explanations delegations might wish to make before the vote.

92. **Mr. Khane** (Secretary of the Committee) said that the usual procedure was not being followed because the vote was not on a draft resolution.

93. **Ms. Shestack** (United States of America), speaking on a point of order, supported the statement of the representative of Germany and said that she wished to explain her vote before the vote at the following meeting.

94. **Mr. Faati** (Gambia), speaking on a point of order, requested that, in accordance with the rules, the vote should not be interrupted unless there was an objection as to how it was being conducted.

95. *A recorded vote was taken on the proposal by Benin to delete the reference to documents A/62/346 and A/62/347 in document A/C.3/62/L.1/Add.2.*

In favour:

Algeria, Angola, Antigua and Barbuda, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Botswana, Brunei Darussalam, Burkina Faso, Cameroon, China, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, India, Indonesia, Iran (Islamic Republic of), Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Philippines, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Mexico, Moldova, Monaco, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Bahamas, Belize, Bolivia, Brazil, Colombia, Dominican Republic, Ecuador, Guatemala, Guyana, Haiti, Honduras, Jamaica, Jordan, Mongolia, Oman, Qatar, Suriname, Trinidad and Tobago, Turkey, Uruguay.

96. *The proposal was adopted by 76 votes to 54 with 20 abstentions.*

97. **Mr. Khane** (Secretary of the Committee) said that, by virtue of Article 19 of the Charter of the United Nations, Liberia had not been authorized to vote.

The meeting rose at 1.40 p.m.